

Vessel Emergencies - Additional Clarification

This new reporting requirement is in addition to the requirement to **immediately report oil spills**. This new requirement addresses incidents on the vessel that pose a substantial risk of resulting in an oil spill. The purpose of reporting is to implement the oil spill plan before a spill occurs, and possibly take precautionary measures if they are needed, such as moving response equipment to the site. In Washington for example, it may take several hours to move equipment to the coast because it is such a rugged, remote area.

Reporting emergencies that pose a substantial threat of an oil spill:

A vessel emergency is defined as “a substantial threat of pollution originating from a covered vessel, including a loss or serious degradation of propulsion, steering, means of navigation, electrical generating capability and seakeeping capability.”

Some examples of vessel emergencies:

Some examples of vessel emergencies might include:

- Fire
- Flooding
- Grounding
- Collision
- Sinking
- Allision of an unusual/unplanned occurrence (other than normal docking activities)
- Reduction of stability below the minimum that is required for the vessel
- Major failure of or damage to the vessel’s structure that could result in flooding or sinking
- Explosion
- Total loss of propulsion or steering that results in a drifting vessel (or vessels in the case of a tug and tow)
- A partial loss of propulsion, steering, electrical power, or navigational equipment that results in a vessel being unable to maintain its intended track clear of navigational hazards or other vessels without assistance
- A broken tow wire between a towing vessel and a tank barge that results in a drifting barge
- All deployments of the Emergency Response Towing Vessel (ERTV) for a covered vessel incident at Neah Bay will be treated as a vessel emergency

Some common-sense, reasonable factors in determining whether a vessel emergency substantially threatens the natural resources of the state include:

- Ship location and proximity to land or other navigational hazards
- Weather, tidal currents and sea state
- Traffic density
- Timing or likelihood of vessel repairs

Following the federal reporting requirements:

Many vessel operators have asked Ecology whether it is permissible to use the reporting thresholds of the U.S. federal government (marine casualties and incidents that threaten significant harm), in order to make this easier for a vessel operator. This is acceptable to the Department of Ecology. We will screen reports and act only on those that are vessel emergencies.

Reporting within one hour:

It is recognized that a vessel operator may need time to manage the incident before being able to report it. The law is written to allow up to one hour for the operator to make the report.

We understand that it will take some time to educate all vessel operators and plan holders, and other agencies about this new requirement. Ecology is initiating a rule writing process beginning in early 2012 to put this and other requirements from the enabling legislation into regulation. We will take a flexible approach on this reporting requirement for several months, learning lessons while further guidance is developed.